

In the United States District Court  
for the Southern District of Texas  
Houston Division

Odyssey Nail Systems, Inc.

v.

Bio Seaweed Gel Limited

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Civ. Action No. \_\_\_\_\_

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**Defendant Bio Seaweed Gel Limited's Notice of Removal**

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Plaintiff Odyssey Nail Systems, Inc. filed its original petition against defendant Bio Seaweed Gel Limited in the 152nd Judicial District Court of Harris County, Texas, under Cause No. 2018-56802 on August 22, 2018. Bio Seaweed Gel Limited received a copy of the petition on August 28, 2018, and agreed that it would be deemed to have accepted service of process as of that date. No citation was actually issued. Bio Seaweed Gel Limited files this notice of removal within 30 days, the time period for removal under 28 U.S.C. §1446(b).

The original petition asserts Texas state law claims for breach of contract and declaratory relief, seeking monetary relief in the amount of at least \$100,000 but not more than \$200,000.

Odyssey Nail Systems, Inc. is alleged to be and is a Florida corporation deemed to be a citizen of Florida under 28 U.S. C. 1332(c)(1). Bio Seaweed Gel Limited is alleged to be and is a California corporation deemed to be a citizen of California under 28 U.S.C. § 1332(c)(1). Bio Seaweed Gel Limited is not a citizen of Texas—it is not incorporated in Texas and has no principal place of business in Texas.

These allegations and the requested relief fall within this Court's original diversity subject-matter jurisdiction under 28 U.S.C. § 1332(a)(1). Accordingly, this case may be removed from the Texas state district court pursuant to 28 U.S.C. § 1441.<sup>1</sup>

### **CONCLUSION**

For these reasons, defendant Bio Seaweed Gel Limited asks that an appropriate United States District Court exercise jurisdiction over this action to its conclusion and final judgment, and for other relief, at law or in equity, that defendant Bio Seaweed Gel Limited may justly show itself entitled.

Respectfully submitted on September 27, 2018.

**BOYARMILLER**

By: /s/ Chris Hanslik  
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**Attorney-In-Charge for Defendant  
Bio Seaweed Gel Limited**

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<sup>1</sup> All pleadings, process, orders, and other filings in the state court action are attached to this notice as required by 28 U.S.C. § 1446(a). Venue is proper in this district and division under 28 U.S.C. § 1441(a) because the state court where this action has been pending is located in this district and division. A jury has been demanded. Bio Seaweed Gel Limited will promptly file a copy of this notice of removal with the clerk of the Texas state district court where the action has been pending in accordance with 28 U.S.C. §1446(d).

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**Certificate of Service**

I hereby certify that the foregoing was served on counsel of record for all parties via email in accordance with the Federal Rules of Civil Procedure on September 27, 2018.

/s/ Chris Hanslik

Chris Hanslik